



THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

FEB 17 2010

MEMORANDUM FOR DIRECTOR, ADMINISTRATION AND MANAGEMENT

SUBJECT: Biennial Renewal of Defense Science Board (DSB) Charter

References: (a) DoDI 5105.04, "Department of Defense Federal Advisory Committee Management Program," August 6, 2007

I request renewal of the DSB charter (TAB A) for a 2-year period in accordance with reference (a). TAB B provides justification for the renewal.

A handwritten signature in black ink, reading "Ashton B. Carter", is positioned above the printed name.

Ashton B. Carter

Attachments:
As stated

CHARTER DEFENSE SCIENCE BOARD

1. Committee's Official Designation: The Committee shall be known as the Defense Science Board (hereafter referred to as the Board).
2. Authority: The Secretary of Defense, under the provision of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d) established the Board.
3. Objectives and Scope of Activities: The Board shall examine and advise on matters relating to DoD's scientific and technical enterprise.
4. Description of Duties: The Board shall provide the Secretary of Defense, the Deputy Secretary of Defense, the Under Secretary of Defense for Acquisition, Technology and Logistics, the Chairman of the Joint Chiefs of Staff and, as requested, other Office of the Secretary of Defense (OSD) Principal Staff Assistants, the Secretaries of the Military Departments, the Commanders of the Combatant Commands, independent advice and recommendations on scientific, technical, manufacturing, acquisition process, and other matters of special interest to the Department of Defense.

The Board is not established to advise on individual DoD procurements, but instead shall be concerned with the pressing and complex technology problems facing the Department of Defense in such areas as research, engineering, and manufacturing, and will ensure the identification of new technologies and new applications of technology in those areas to strengthen national security.

No matter shall be assigned to the Board for its consideration that would require any Board Member to participate personally and substantially in the conduct of any specific procurement or place him or her in the position of acting as a "procurement officials," as that term is defined pursuant to law.

The Under Secretary of Defense for Acquisition, Technology and Logistics or designated representative shall be authorized to act upon the advice and recommendations of the Board.

5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense through the Under Secretary of Defense for Acquisition, Technology and Logistics.

6. Support: The Department of Defense, through the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, shall provide support as deemed necessary for the Board's performance, and shall ensure compliance with the requirements of the Federal Advisory Committee Act of 1972 and the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b).

Additional information and assistance, as required, may be obtained from other DoD Components with contracting authority, support contractors, including DoD Federally Funded Research and Development Centers for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs and meeting and contract support is approximately \$4.5 million, and six (6) full-time equivalents (FTE).
8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

In addition, the Designated Federal Officer is required to be in attendance at all meetings, however, in the absence of the Designated Federal Officer, the Alternate Designated Federal Officer shall attend the meeting.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's Designated Federal Officer, in consultation with the Chairperson. The estimated number of Board meetings is four per year.
10. Duration: The need for this advisory function is on an ad hoc basis however, it is subject to renewal every two years
11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or designee extends it.
12. Membership and Designation: The Board shall be composed of not more than 45 members and not more than 12 Senior Fellow members, who are eminent authorities in the fields of scientific, technical, manufacturing, acquisition process, and other matters of special interest to the Department of Defense.

The Board members shall be appointed by the Secretary of Defense, and their appointments will be renewed on an annual basis. Those members, who are not full-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and serve as special government employees.

Members may be appointed for terms ranging from one to four years. Such appointments will normally be staggered among the Board membership to ensure an orderly turnover in the Board's overall composition on a periodic basis. With the exception of travel and per diem for official travel, they shall normally serve without compensation, unless otherwise authorized by the appointing authority.

The Secretary of Defense, based upon the recommendation of the Under Secretary of Defense (Acquisition, Technology and Logistics), shall appoint the Board's Chairperson. The Under Secretary of Defense (Acquisition, Technology and Logistics) shall appoint the Vice Chairperson. The Board Chairman and Vice Chairman shall serve two-year terms and, with the Secretary of Defense's approval, may serve additional terms.

The Secretary of Defense may invite other distinguished U.S. Government officers to serve as non-voting observers, and the Under Secretary of Defense for Acquisition, Technology and Logistics may invite chairpersons from other DoD-supported federal advisory committees to serve as non-voting observers.

The Under Secretary of Defense for Acquisition, Technology, and Logistics may appoint experts and consultants, with special expertise, to assist the Board on an ad hoc basis. These experts and consultants, appointed under the authority of 5 U.S.C. § 3109, shall also serve as special government employees; however, they shall have no voting rights on the Board.

Non-voting observers and those non-voting experts and consultants appointed by the Under Secretary of Defense for Acquisition, Technology, and Logistics shall not count toward the Board's total membership.

13. Subcommittees: With DoD approval, the Board is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976, and other appropriate federal regulations.

Such subcommittees or workgroups shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any federal officers or employees who are not Board members.

Subcommittee members, who are not Board members, shall be appointed in the

same manner as the Board members.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: February 12, 2010

Attachment B

Justification to Renew DSB Charter

1. Rationale for the Committee's continued operation and the Committee's accomplishments with regards to the Department of Defense.

The Defense Science Board continues to meet its mission of providing independent advice to DoD leadership. During the previous 2 years, the DSB released 19 Task Force reports and the results of a Summer Study (two volumes).

The Department reacted to several of these reports. Specific examples include:

- a. The DSB Task Force report on Department of Defense Biological Safety and Security Program validate several courses of action taken by Service Secretary's in the operation of DoD's biological select agent and toxins research program.
- b. In the FY 2010 NDAA section 804, Congress directed DoD to develop and implement such an acquisition process based on the recommended IT acquisition model identified in the DSB Task Force on DoD Policies and Procedures for the Acquisition of Information Technology.
- c. The Permanent Nuclear Task Force on Nuclear Weapons Surety Report on the Unauthorized Movement of Nuclear Weapons.

2. Why the Committee's operations could not be performed by existing DoD resources and/or absorbed by another existing DoD-Supported Committee.

The DSB recruits world renowned academicians, senior industry leadership, and former senior government and military officials to volunteer their services when creating the Task Forces that provide independent advice to DoD leadership. The individuals engaged in this activity provide the Government two unique qualities that can not be duplicated in the Government.

- a) First and foremost, the Defense Science Board allows the Government to access individuals possessing unique technical and management skills which do not reside in the Government.
- b) Secondly, the DSB process creates an avenue for an independent assessment of DoD activities. The independent advice ensures the DSB either validates Government activity or suggests new courses of action. Independent validation provides the Government assurance that it is on the right track. Suggested new courses of action, at a minimum, cause the Government, to reassess its actions

in light of the new recommendations. Government reassessment may or may not change its course of action but will strengthen the Government's rationale.

As the senior DoD Science Board, there are unique advantages to the DSB which are hard to duplicate with the Military Department Science Boards.

- a) The primary advantage is the DoD perspective the DSB brings to the problem. This is backed up by the recurring request from the Military Departments to the DSB to conduct studies. In the previous two years the DSB was requested by the Army leadership to conduct studies which were outside the scope of their respective Science Board.
- b) Secondly, the OSD level of DSB recommendations results in opportunities for the Military Department's Science Boards to instantiate DSB work.
- c) Finally, there are occasions when OSD leadership desires an independent look at specific areas which can not be associated with a particular Military Department. This is required because a Military Department may possess a vested interest in the outcome of the study that causes a perceived lack of impartiality.

3. Impact the discontinuation of the Committee could have on the Department of Defense.

Discontinuation of the DSB would remove one avenue that DoD uses to receive independent advice. In addition, the DSB serves several important ancillary but intangible roles which would negatively impact the Department of Defense. First, the DSB recruits individuals of sufficient caliber to be considered for senior leadership positions within the Government. Several ad hoc Task Force members are selected for leadership positions in the current Administration in several agencies. Secondly, the DSB serves as an informal channel of communications between organizations. On occasion, difficult problems may be better addressed through informal channels. Resolution of issues via informal mechanisms occasionally thwarts bureaucratic turf battles and results in better solution sets for the Government. Thirdly, in accordance with the purpose of the Federal Advisory Committee Act, the DSB offers public citizens a chance to gain insight into and offer advice on DoD problems. Finally, DSB operations are well respected. Its continued presence serves as a model for other DoD Boards. The Committee Management Office refers other FACA staff to the DSB to study its operations.

Although it would be hard to quantify the negative impact, each of these functions provides value to the Department for a relatively small expenditure of resources.

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15. Filing Date: March 17, 2008

16. Modified: October 22, 2009